

**REMARKS**

The Official Action mailed December 8, 2011, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Filed concurrently herewith is a *Request for Continued Examination*. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on September 27, 2006; January 15, 2009; February 12, 2010; and January 28, 2011.

A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

A Correction to Previously Submitted Information Disclosure Statement is submitted herewith, which more accurately identifies the bibliographic information for the non-patent literature reference "Sense of Crisis." The Applicant requests that the attached PTO 1449 Form be initialed and that the previous citations be lined through.

Claims 1-27 are pending in the present application, of which claims 1, 6, 9, 10 and 13 are independent. Claims 9 and 10 have been amended to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 2 of the Official Action rejects claims 1-8, 20, 21, 23 and 24 as obvious based on the combination of U.S. Publication No. 2004/0082296 to Twitchell, Jr. and U.S. Patent No. 6,774,470 to Yagi. Paragraph 3 of the Official Action rejects claims 9, 11, 13-19, 25 and 27 as obvious based on the combination of Twitchell, Jr., U.S. Publication No. 2003/0122233 to Yagi and U.S. Publication No. 2004/0164302 to Arai. Paragraph 4 of the Official Action rejects claims 10-12 and 22 as obvious based on the combination of Twitchell, Jr., and Arai. Paragraph 5 of the Official Action rejects claim 26 as obvious based on the combination of Twitchell, Jr., Arai and Yagi '233. The Applicant respectfully traverses the rejections because the Official Action has not made

a *prima facie* case of obviousness and/or that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

With respect to independent claims 1, 6, 9, 10 and 13, the prior art, either alone or in combination, does not teach or suggest all the features of the independent claims.

The Official Action asserts that Twitchell, Jr. teaches a Wireless Reader Tag (radio-frequency transponder (RFT)) 130, Wireless Tag (low-power radio frequency (LPRF)) 110, and Gateway 180, which allegedly correspond to the claimed semiconductor device, first resonance circuit, and second resonance circuit, respectively. However, the Wireless Reader Tag 130 is a device that uses **internal power**, in the form of a battery, to both detect and make transmissions (paragraph [0050]). Wireless Tag 110 is a device that also uses **internal power**, in the form of a battery, to both detect and make transmissions (paragraph [0050]). Finally, Gateway

180 includes a **GPS receiver** and a **mobile interface**, such as a cellular or satellite transmitter 186 (paragraph [0053]).

Although the Official Action attempts to apply Yagi's non-contact data carrier into the Wireless Tag 110 and/or the Gateway 180 of Twitchell, Jr., as alleged first and second resonance circuits in the rejection to at least independent claims 1, 6, 9 and 13, Yagi does not teach or suggest use of internal power such as a battery, a GPS receiver, or a mobile interface in the non-contact data carrier. Therefore, if Yagi's non-contact data carrier and Twitchell Jr.'s network system were to be combined as alleged, the network system would not appear to operate. Therefore, one skilled in the art would not have been predictably led to combine Yagi's non-contact data carrier with Twitchell Jr.'s network system. For at least this reason, a *prima facie* case of obviousness has not been met.

Further, the Official Action appears to apply Arai's contactless thin film integrated circuit into the Wireless Reader Tag 130 of Twitchell, Jr. as corresponding to the claimed semiconductor device (in the rejection of at least claims 9, 10 and 13). However, Arai also does not teach or suggest use of internal power such as a battery, a GPS receiver, or a mobile interface in the contactless thin film integrated circuit. Thus, if Arai's contactless thin film integrated circuit and Twitchell Jr.'s network system were to be combined, the network system would not appear to operate. For at least this additional reason, a *prima facie* case of obviousness has not been met.

With respect to independent claims 9 and 10, these claims have been revised to remove the "*at least one of*" feature and thus the claims make clear that first information and first electric power are sent from a reader/writer and first and second resonance circuits toward a semiconductor device. Twitchell, Jr. does not appear to teach or suggest this feature. Moreover, since both the Wireless Reader Tag 130 and the Wireless Tag 110 are devices that use **internal power** (paragraph [0050]), one would readily understand that it is not necessary to send electric power from a Gateway (NIM) 140, the Gateway (MLG) 180, or the Wireless Tag (LPRF) 110 toward the Wireless

Reader Tag (RFT) 130. Thus, there is insufficient rationale for Twitchell, Jr. employing a system sending electric power to devices wirelessly. For at least this additional reason, a *prima facie* case of obviousness has not been met.

Finally, with respect to claims 23-27, these claims recite that, for example, "the resonance circuit **consists of** the antenna coil and the capacitor." That is, these claims specifically exclude or remove components of a circuit other than the recited antenna coil and capacitor. The Official Action alleges that Yagi's device (non-contact data carrier) includes a coil antenna pattern 3 and an IC chip 2, **which includes a capacitor**. However, one skilled in the art would have recognized that although Yagi does not disclose specific contents in the IC chip 2 other than the capacitor, that additional structure and components are necessary for the IC chip 2 to function as an IC chip. That is, one would not have understood IC chip 2 to consist of only the capacitor, but rather would have understood the IC chip 2 to contain additional necessary structural features to operate as intended. For at least this reason, the Patent Office has failed to establish that Yagi teaches the claimed feature that "the resonance circuit **consists of** the antenna coil and the capacitor."


Because Twitchell, Jr., Yagi '470, Yagi '233, and Arai do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained with respect to independent claims 1, 6, 9, 10 and 13. Therefore, Applicant believes the rejections of claims 1, 6, 9, 10 and 13 and claims dependent therefrom are not proper.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,

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